

Message Text

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R 091744Z MAR 78
FM AMEMBASSY PARIS
TO SECSTATE WASHDC 8386
INFO ALL EC CAPITALS
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AMEMBASSY MADRID
AMEMBASSY LISBON
USNMR SHAPE
USMISSION USNATO
USCINCEUR
DIA WASHDC
USMISSION USUN
AMEMBASSY DAKAR
USDOCOSOUTH NAPLES
AMEMBASSY WARSAW
AMEMBASSY PRAGUE
AMEMBASSY BUDAPEST
AMEMBASSY SOFIA
AMEMBASSY BELGRADE
USMISSION USBERLIN
AMEMBASSY BERLIN
AMEMBASSY STOCKHOLM
AMEMBASSY HELSINKI
AMCONSUL MARTINIQUE
AMCONSUL BORDEAUX
AMCONSUL LYON
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E.O. 11652: N/A
TAGS: PINT, PGOV, FR
SUBJECT: ELECTIONS 1978: THE TRANSITION PERIOD --

FROM THE ELECTIONS TO THE OPENING OF PARLIAMENT

REF: BARBOUR-GAMMON TELECON OF MARCH 8

SUMMARY: THE POLITICAL PROCESS FOR FORMING A NEW GOVERNMENT AFTER THE MARCH 19 SECOND-ROUND OF ELECTIONS WOULD FOLLOW THE TRADITIONAL PATTERN OF THE FIFTH REPUBLIC. THE PRESENT GOVERNMENT WOULD STAY ON TO HANDLE CURRENT AFFAIRS UNTIL THE PRESIDENT HAD FINISHED HIS CONSULTATIONS AND NAMED A NEW PRIME MINISTER. THE NEW GOVERNMENT WOULD NOT REQUIRE APPROVAL (INVESTITURE) BY THE ASSEMBLY, BUT WOULD BE CENSURED AND FORCED TO RESIGN IMMEDIATELY ON THE OPENING OF PARLIAMENT APRIL 3, IF ITS COMPOSITION WAS NOT TO THE LIKING OF THE NEW MAJORITY. THIS TELEGRAM DESCRIBES THE IMMEDIATE POLITICAL PROCESS DURING THAT PERIOD. END SUMMARY.

1. BARRE SUBMITS RESIGNATION: REGARDLESS OF WHO WINS ON MARCH 19, PRIME MINISTER BARRE HAS SAID HE WILL SUBMIT HIS RESIGNATION IMMEDIATELY THEREAFTER, PROBABLY ON MARCH 20. THE PRESIDENT IS NOT OBLIGED TO ACCEPT IT AND WOULD NOT DO SO UNTIL HE HAD COMPLETED HIS CONSULTATIONS AND WAS PREPARED TO NAME A NEW PRIME MINISTER (CHIRAC'S RESIGNATION, FOR EXAMPLE, WAS HELD BY GISCARD FROM JULY 26 TO AUGUST 25, 1976). BARRE AND HIS CABINET WOULD CONTINUE TO RUN THE GOVERNMENT IN A "CARE-LIMITED OFFICIAL USE

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TAKER" STATUS, A CONCEPT WHICH EXISTS THROUGH TRADITION, NOT IN THE CONSTITUTION.

2. GISCARD NAMES A NEW PRIME MINISTER: AT ANY TIME FOLLOWING THE ELECTIONS, GISCARD COULD SELECT A NEW PRIME MINISTER -- HE WILL NOT BE WORKING UNDER ANY TIME CONSTRAINT. THE PRESIDENT MAY NAME ANYONE HE SO DESIRES (BARRE, MITTERRAND, ETC.) SINCE THE NEW GOVERNMENT DOES NOT REQUIRE INVESTITURE BY THE ASSEMBLY. AND IN FACT, ABSOLUTELY ANYONE COULD GOVERN (LEGALLY AT LEAST, DISCOUNTING PUBLIC REACTION) UNTIL THE ASSEMBLY OPENS ON MONDAY, APRIL 3. AT THAT TIME, HOWEVER, THE NEW ASSEMBLY WOULD BE EXPECTED IMMEDIATELY (ON ITS OWN INITIATIVE UNDER ARTICLE 49) TO PASS A MOTION OF CENSURE AGAINST ANY GOVERNMENT NOT TO ITS LIKING. THUS THE PRESIDENT'S IMMUNITY RUNS OUT ON APRIL 3.

3. PARLIAMENTARY SESSION: NO GOVERNMENT IS OBLIGED TO SUBMIT ITSELF TO THE ASSEMBLY FOR FORMAL APPROVAL (INVESTITURE), ALTHOUGH IT MAY DO SO BY ENGAGING ITS RESPONSIBILITY ON ITS PROGRAM UNDER ARTICLE 49. THE GENERAL RULE SINCE 1966 HAS BEEN TO REFUSE SUCH AN EN-

GAGEMENT. BARRE, FOR EXAMPLE, WAS NAMED PRIME MINISTER ON AUGUST 27 AND PRESENTED A DECLARATION OF GENERAL POLICY ON OCTOBER 5, 1976, BUT WITHOUT ENGAGING HIS GOVERNMENT ON THE QUESTION (CHIRAC WAS AN EXCEPTION, BEING NAMED ON MAY 28 AND ENGAGING HIS GOVERNMENT ON ITS PROPOSED PROGRAM ON JUNE 5, 1974). WE WOULD EXPECT A LEFT GOVERNMENT TO USE ARTICLE 49 VERY EARLY ON (AS SOON AS THE LEFT COALITION PARTNERS WERE ABLE TO HAMMER OUT AN ACCEPTABLE COMPROMISE PROGRAM), ENGAGING ITS RESPONSIBILITY AND FORCING DEPUTIES TO COMMIT THEMSELVES AT

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ONCE, ESPECIALLY THE COMMUNISTS, SHOULD THE PCF HAVE CHOSEN NOT TO ENTER THE GOVERNMENT.

4. NAMING A GOVERNMENT: WHILE IT IS CLEAR THAT THE PRESIDENT NAMES THE PRIME MINISTER, HIS SAY IN THE SELECTION OF OTHER MINISTERS IS MORE AMBIGUOUS. OFFICIALLY, HE NAMES THEM ON THE RECOMMENDATION OF THE PRIME MINISTER; IN PAST PRACTICE, THE TWO MEN CONSULT INFORMALLY TO AGREE ON THE CABINET. IT IS NOT AT ALL SURE THAT THIS TRADITION WILL WORK SMOOTHLY BETWEEN GISCARD AND A LEFT PRIME MINISTER. THIS QUESTION COULD THEREFORE PRODUCE THE FIRST CONFLICT BETWEEN THE TWO MEN, ESPECIALLY IF THE LATTER PROPOSED COMMUNIST MINISTERS FOR CERTAIN PORTFOLIOS. AS FOR THE PRIME MINISTER HIMSELF, THERE IS NO WAY FOR THE PRESIDENT TO FORCE HIS RESIGNATION, SHORT OF INDUCING A VOTE OF CENSURE IN THE ASSEMBLY.

5. GENERAL SCENARIO: IN SUM, THE FOLLOWING SCENARIO MIGHT BE EXPECTED IN THE EVENT OF A LEFT VICTORY:

- BARRE SUBMITS HIS RESIGNATION MARCH 20, BUT RUNS THE GOVERNMENT UNTIL GISCARD NAMES HIS REPLACEMENT;
- SOMETIME BEFORE APRIL 3, GISCARD OFFERS THE PRIME MINISTERSHIP TO A LEFT LEADER WHOM HE FEELS IS CAPABLE OF MUSTERING A PARLIAMENTARY MAJORITY -- HIS CHOICE DEPENDS ON THE MARGIN OF LEFT VICTORY, PROBABLE COMMUNIST INTENTIONS, ETC.;
- THE NEW ASSEMBLY OPENS APRIL 3 AND 1) IS SOON

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PRESENTED WITH A PROGRAM OF GOVERNMENT BY THE LEFT LEADER WHO ENGAGES THE RESPONSIBILITY OF THE GOVERNMENT ON THE VOTE OR 2) IMMEDIATELY

CENSURES A GOVERNMENT NOT TO ITS LIKING.
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